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June 11, 2003

Date of Deposit

Vincent J. Gnoffo, Reg. No. 44,714

Name of Applicant, Assignee or
Registered Representative

Vincent J. Gnoffo
Signature

June 11, 2003
Date of Signature

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TECHNOLOGY CENTER R3700

Our Case No.: 3614/63

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alan Y. Chow et al.

Serial No.: 10/056,793

Filing Date: January 23, 2002

For: METHODS FOR IMPROVING
DAMAGED RETINAL CELL
FUNCTION

Examiner: Not yet assigned

Group Art Unit No.: 3762

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Fourth Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by

the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The reference now cited is the following:

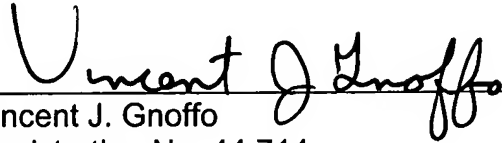
| OTHER ART – NON PATENT LITERATURE DOCUMENTS |
|--|
| (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |
| A.Y. Chow, G.A. Peyman, J. Pulido, <i>"Safety and Feasibility of Subretinal Artificial Silicon Retina™ Retinal Prosthesis for the Treatment of Patients with Retinitis Pigmentosa"</i> , ARVO (The Association of Research in Vision and Ophthalmology), Abstract Issue of Annual Meeting, For Lauderdale, Florida, April 29-May 4, 2001, Abstract 5042-11:11 (1 page and cover page), Published March 15, 2001. |

In accordance with 37 C.F.R. § 1.97(g),(h), this Fourth Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Fourth Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Fourth Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Vincent J. Gnoffo
Registration No. 44,714
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200



.(use several sheets if necessary)

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--|--|------|---------|--------------------|--------------------------|
| EXAMINER INITIAL | | DOCUMENT NUMBER <small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
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| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS | |
|---------------------|--|--|
| | (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. | |
| | E1 | A.Y. Chow, G.A. Peyman, J. Pulido, "Safety and Feasibility of Subretinal Artificial Silicon Retina™ Retinal Prosthesis for the Treatment of Patients with Retinitis Pigmentosa", ARVO (The Association of Research in Vision and Ophthalmology), Abstract Issue of Annual Meeting, For Lauderdale, Florida, April 29-May 4, 2001, Abstract 5042-11:11 (1 page and cover page), Published March 15, 2001. |
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| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



3762

| TRANSMITTAL LETTER | | | Case No. 3614/63 |
|---|---------------------------------|------------------------------|------------------------|
| Serial No. 10/056,793 | Filing Date January 23, 2002 | Examiner Not yet assigned | Group Art Unit 3762 |
| Inventor(s) Alan Y. Chow et al. | | | |
| Title of Invention METHODS FOR IMPROVING DAMAGED RETINAL CELL FUNCTION | | | |

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Cover Letter (1p. Filed in Dup.); Fourth Supplemental Information Disclosure Statement (3pp. Filed in Dup.); Form PTO 1449 (2p.); 1 cited reference and PTO Reply Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra |
|---|----------------------------------|-------|---------------------------------|---------------|
| Total | | Minus | | |
| Indep. | | Minus | | |
| First Presentation of Multiple Dep. Claim | | | | |

| Small Entity | | | Other Than Small Entity | |
|-----------------|-----------|----|-------------------------|-----------|
| Rate | Add'l Fee | or | Rate | Add'l Fee |
| x \$9 = | | | x \$18 = | |
| x 42 = | | | x \$84 = | |
| + \$140 = | | | + \$280 = | |
| Total add'l fee | \$ | | Total add'l fee | \$ |

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Vincent J. Gnoffo
Registration No. 44,714
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
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